

1 Tanya E. Moore, SBN 206683
2 MOORE LAW FIRM, P.C.
3 300 South First Street, Suite 342
4 San Jose, California 95113
5 Telephone (408) 298-2000
6 Facsimile (408) 298-6046
7 E-mail: service@moorelawfirm.com

8 Attorney for Plaintiff
9 Darren Gilbert

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,) Case No. 1:22-cv-00147-JLT-EPG
vs. Plaintiff,)
MOHAMED N. ZOKARI, individually and) **STIPULATION TO MODIFY**
dba NUNES MARKET, et al.,) **SCHEDULING ORDER, CONTINUE**
Defendants.) **MID-DISCOVERY STATUS**
) **CONFERENCE, AND SCHEDULE**
) **SETTLEMENT CONFERENCE; ORDER**
) (ECF No. 15)
)

1 **WHEREAS**, a Scheduling Order issued in this action on June 3, 2022, setting among
2 other deadlines a fact discovery cutoff of March 31, 2023 (Dkt. 9);

3 **WHEREAS**, a Mid-Discovery Status Conference in this matter is set for January 30,
4 2022 before Magistrate Judge Erica P. Grosjean (Dkt. 10);

5 **WHEREAS**, Plaintiff, Darren Gilbert (“Plaintiff”), and Defendants Mohamed N.
6 Zokari individually and dba Nunes Market, and Tina Zokari (collectively “Defendants” and
7 together with Plaintiff, “the Parties”) have engaged in settlement discussions whereby on
8 August 31, 2022, Plaintiff provided Defendants a settlement proposal including a list of the
9 injunctive relief he is seeking to resolve this action, namely removal of the alleged barriers to
10 his access at the Facility;

11 **WHEREAS**, on October 3, 2022, Defendants provided a redline of the proposed
12 settlement agreement, which redlines Plaintiff approved on October 5, 2022, and therefore the
13 Parties have reached an agreement in principle as to the scope and timeline for appropriate
14 injunctive relief;

15 **WHEREAS**, on October 5, 2022, Plaintiff relayed a monetary demand for resolution of
16 his claims for damages under the California Unruh Civil Rights Act and attorney’s fees and
17 costs;

18 **WHEREAS**, despite follow-up efforts by Plaintiff, Defendants have not yet responded
19 to the monetary demand;

20 **WHEREAS**, as the Parties are in agreement as to the appropriate injunctive relief, they
21 have not undertaken discovery relating to Plaintiff’s claims apart from initial disclosures and
22 Plaintiff’s inspection of the subject property pursuant to Federal Rule of Civil Procedure 34;

23 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the Parties,
24 through their respective attorneys of record, that in order to promote a full settlement of this
25 matter, good cause exists to modify the Scheduling Order and continue the Mid-Discovery
26 Status Conference as follows:

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	<u>Old Date</u>	<u>New Date</u>
Nonexpert Discovery Cutoff	March 31, 2023	May 26, 2023
Expert Disclosure	April 28, 2023	June 9, 2023
Rebuttal Expert Disclosure	May 26, 2023	June 23, 2023
Expert Discovery Cutoff	June 26, 2023	July 21, 2023
Mid-Discovery Conference	January 30, 2023	April 4, 2023 or later at the Court's convenience

No modifications of the dispositive motion deadlines, pretrial conference or trial dates are required at this time.

FURTHER, the Parties hereby jointly request that a settlement conference be scheduled before a Magistrate Judge at the Court's earliest convenience.

IT IS SO STIPULATED.

Dated: January 23, 2023

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore
Attorney for Plaintiff,
Darren Gilbert

Dated: January 23, 2023

VAUGHAN & ASSOCIATES LAW OFFICE, APC

/s/ Khushpreet R. Mehton

Cris C. Vaughan
Khushpreet R. Mehton
Attorneys for Defendants,
Mohamed N. Zokari individually and dba Nunes
Market, and Tina Zokari

ORDER

Based on the parties' stipulation (ECF No. 15), IT IS ORDERED that the Scheduling Order (ECF No. 9) is hereby modified¹ as follows:

	<u>Old Date</u>	<u>New Date</u>
Nonexpert Discovery Cutoff	March 31, 2023	May 26, 2023
Expert Disclosure	April 28, 2023	June 9, 2023
Rebuttal Expert Disclosure	May 26, 2023	June 23, 2023
Expert Discovery Cutoff	June 26, 2023	July 21, 2023
Mid-Discovery Conference	January 30, 2023	April 4, 2023 at 10:30 a.m.

For the April 4, 2023 mid-discovery conference, the parties are reminded to file a joint report at least one week before the conference. (ECF No. 9, p. 3).

Additionally, based on the parties' request to participate in a settlement conference, IT IS ORDERED that the parties shall jointly email Courtroom Deputy Michelle Rooney (mrooney@caed.uscourts.gov) by no later than January 31, 2023, to schedule a settlement conference, which will be set before a different Judge than the undersigned.

IT IS SO ORDERED.

Dated: **January 24, 2023**

/s/ *Eric P. Groj*
UNITED STATES MAGISTRATE JUDGE

¹ Pursuant to the parties' stipulation, the September 1, 2023 dispositive motion filing deadline, the January 12, 2024 pretrial conference, and the March 12, 2024 trial remain in place.